

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

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In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

PROMESA
Title III

No. 17-cv-1685-LTS
No. 17-bk-3566-LTS

Re: ECF Nos. 289, 292, 367, 371 & 505

Debtors.¹

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CERTAIN ALLEGED SECURED CREDITORS
OF THE EMPLOYEES RETIREMENT SYSTEM
OF THE GOVERNMENT OF THE
COMMONWEALTH OF PUERTO RICO,

Movant,

-against-

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

EMPLOYEES RETIREMENT SYSTEM OF THE
GOVERNMENT OF THE COMMONWEALTH
OF PUERTO RICO,

Respondent.

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¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

**NOTICE OF SUBMISSION OF LIST OF DECLARATIONS AND EXHIBITS BY THE
EMPLOYEES RETIREMENT SYSTEM OF THE GOVERNMENT OF THE
COMMONWEALTH OF PUERTO RICO**

To the Honorable United States District Court Judge Laura Taylor Swain:

The Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS,” “System,” or the “Debtor”), by and through the Financial Oversight and Management Board (the “Oversight Board”), as the Debtor’s representative pursuant to Section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),² hereby respectfully states the following:

1. On May 13, 2019, Judge Swain entered the *Order Granting Urgent Motion Regarding the Scheduling of Discovery and Briefing in Connection with the Motion of Certain Secured Creditors of the Employees Retirement System of the Government of the Commonwealth of Puerto Rico for Relief from the Automatic Stay* [ECF No. 505]³ (the “Scheduling Order”).
2. The Scheduling Order directed each party to file a list of declarations and exhibits it plans to introduce as its principal case. *Id.* at 3. In compliance with the Scheduling Order, ERS hereby submits as Exhibit A its list of declarations and exhibits it plans to introduce as its principal case.

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² PROMESA has been codified at 48 U.S.C. §§ 2101–2241.

³ Unless otherwise specified, ECF numbers refer to Case No. 17-bk-03566.

Dated: June 21, 2019
San Juan, Puerto Rico

/s/ Margaret A. Dale

Martin J. Bienenstock (*pro hac vice*)

Brian S. Rosen (*pro hac vice*)

Jeffrey W. Levitan (*pro hac vice*)

Paul V. Possinger (*pro hac vice*)

Margaret A Dale (*pro hac vice*)

Joshua A. Esses (*pro hac vice*)

PROSKAUER ROSE LLP

Eleven Times Square

New York, NY 10036

Tel: (212) 969-3000

Fax: (212) 969-2900

Email: mbienenstock@proskauer.com

Email: brosen@proskauer.com

Email: jlevitan@proskauer.com

Email: ppossinger@proskauer.com

Email: mdale@proskauer.com

Email: jesses@proskauer.com

Attorneys for the Financial Oversight and Management Board for Puerto Rico, as representative of the Employees Retirement System of the Government of the Commonwealth of Puerto Rico

/s/ Luis F. del Valle-Emmanuelli

Luis F. del Valle-Emmanuelli

USDC-PR No. 209514

P.O. Box 79897

Carolina, Puerto Rico 00984-9897

Tel. 787.977.1932

Fax. 787.722.1932

dvelawoffices@gmail.com

OF COUNSEL FOR
A&S LEGAL STUDIO, PSC
434 Avenida Hostos
San Juan, PR 00918
Tel: (787) 751-6764/ 763-0565
Fax: (787) 763-8260

Attorneys for the Financial Oversight and Management Board for Puerto Rico, as representative of the Employees Retirement

*System of the Government of the
Commonwealth of Puerto Rico*

Exhibit A

List of Declarations and Exhibits the Employees Retirement System of the Government of the Commonwealth of Puerto Rico Plans to Introduce as its Principal Case

Declarations to be presented on Debtor's Case in Chief
Declaration of Gaurav Malhotra in connection with Motion for Relief from the Automatic Stay dated May 30, 2019
Rebuttal Declaration of Gaurav Malhotra in response to Expert Report of Faten Sabry in connection with Motion for Relief from the Automatic Stay dated June 12, 2019
Expert Rebuttal Report of Lawrence J. Sher, F.S.A., F.C.A., M.A.A.A., E.A. dated June 12, 2019
Declaration of Luis Collazo in Support of Luis Collazo Rodriguez in Support of ERS's Supplemental Brief in Support of Motion for Summary Judgment, dated March 21, 2018
Declaration of Luis Collazo Rodriguez in Support of Debtor's Supplemental Opposition to Motion of Certain Secured Claimholders of Employees Retirement System of Government of Commonwealth of Puerto Rico for Relief from Automatic Stay, dated June 21, 2019

Exhibits to be presented on Debtor's Case in Chief
ERS Bond Resolution, dated January 24, 2008
ERS First Supplemental Bond Resolution, dated January 29, 2008
ERS Second Supplemental Bond Resolution, dated May 27, 2008
ERS Third Supplemental Bond Resolution, dated June 26, 2008
Security Agreement, dated June 2, 2008
Certified Translation of Act 106-2017, dated August 23, 2017
Certified Translation of House Joint Resolution 188, dated June 6, 2017
The Employees Retirement System of the Government of the Commonwealth of Puerto Rico's Responses and Objections to ERS Bondholders' Amended Interrogatories, dated April 23, 2019
Movants' Responses and Objections to Debtor's First Set of Interrogatories, dated March 8, 2019
Movants' Supplemental Responses and Objections to the Debtor's Interrogatory Numbers 5, 6, 8, and 9, dated April 15, 2019
Movants' Responses and Objections to the Oversight Board's First Set of Contention Interrogatories, dated May 24, 2019
Excerpt from Deposition of Dr. Faten Sabry, dated June 20, 2019
Puerto Rico Government Employees Retirement System June 30, 2017 Actuarial Valuation Report (MALHOTRA0000110 - 178)
Puerto Rico Government Employees Retirement System June 30, 2016 Actuarial Valuation Report (MALHOTRA0000008 - 80)
Milliman letter re: PRGERS Estimated Projected Benefit Payments reflecting Act 106-2017 – CONFIDENTIAL, dated December 8, 2017 (MALHOTRA0000003 - 7)
Milliman letter re: PRGERS Estimated Projected Benefit Payments reflecting Act 106-2017 – Agencies Covered by the Fiscal Plan Only - revised - CONFIDENTIAL, dated December 21, 2017 (MALHOTRA0000098 - 109)
Milliman letter re: PRGERS Estimated Benefit Projection Payments, dated April 4, 2019 (MALHOTRA0000081 -
Milliman ERS census data, PRGERS_July12016ParticipantData_forJune302017Valuation_forEY
2015 ERS Active census from PTA (MALHOTRA000002)
2015 Inactive census from PTA (MALHOTRA000001)
Commonwealth of Puerto Rico Certified Fiscal Plan, dated May 9, 2019
Commonwealth of Puerto Rico Certified Fiscal Plan, dated October 28, 2018
Explanatory memorandum on pension reform, dated August 4, 2017 (MALHOTRA000087 - 97)
Mortality Improvement Scale MP-2018 (MALHOTRA000185 - 210)
20 Year AA Municipal Bond Quarterly Rates (MALHOTRA000181 - 185)

Bond Buyer 20-year monthly index of FRB_H15 (MALHOTRA000180)
PR Pension Bonds 2008 Series A Offering Statement
PR Pension Bonds 2008 Series B Offering Statement
PR Pension Bonds 2008 Series C Offering Statement
Proval export.xls
Demonstratives